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To: Committee Members **Date:** January 14, 2025

From: Syreeta Risso
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Subject: **Discussion of Research Regarding the Practice of Pastoral Counseling**

The Board's practice acts require a valid and active license or registration to provide services within the scope of marriage and family therapy, clinical social work, professional clinical counseling, and educational psychology. Currently, the law exempts individuals performing counseling services as part of their pastoral or professional duties, such as priests, rabbis and ministers of the gospel of any religious denomination, as follows:

LMFTs - BPC section 4980.01(b):

This chapter shall not apply to any priest, rabbi, or minister of the gospel of any religious denomination when performing counseling services as part of their pastoral or professional duties, or to any person who is admitted to practice law in the state, or a physician and surgeon who provides counseling services as part of their professional practice.

LPCCs - BPC section 4999.22(c):

This chapter shall not apply to any priest, rabbi, or minister of the gospel of any religious denomination who performs counseling services as part of their pastoral or professional duties, or to any person who is admitted to practice law in this state, or who is licensed to practice medicine, who provides counseling services as part of their professional practice.

LCSWs - BPC section 4996.13(f):

Nothing in this article shall prevent qualified members of other professional groups from doing work of a psychosocial nature consistent with the standards and ethics of their respective professions. However, they shall not hold themselves out to the public by any title or description of services incorporating the words psychosocial, or clinical social worker, or that they shall not state or imply that they are licensed to practice clinical social work. These qualified members of other professional groups include, but are not limited to, the following:

(f) A priest, rabbi, or minister of the gospel of any religious denomination.

While pastoral counseling has benefits for clients seeking guidance in areas where there are limited services offered by licensed mental health professionals, there are also concerns when the services performed in pastoral counseling by individuals who are unlicensed or have limited training overlap with the services performed by licensed mental health professionals.

The Board occasionally receives consumer complaints where services are performed by an unlicensed individual, appearing to be working in their ministerial or pastoral capacity, incorporating psychotherapeutic methods into their counseling. It is noted in such cases the individual is often providing counseling services independently, outside of the client's church or other religious entity, and charges a fee for counseling services. In some cases, the Board is unable to take disciplinary action due to language in the current exemption laws.

A discussion on pastoral counseling was previously held at the Licensing Committee meeting in January 2023¹. The intent of the discussion was to propose clarifying the exemption language in the Board's practice acts for individuals performing duties in a religious or faith-based profession. At this meeting, staff presented examples of the following exemption laws in the states of Texas, Florida and Arizona:

- Texas State Board of Examiners of Marriage and Family Therapists²

(24) Recognized religious practitioner--A rabbi, clergyman, or person of similar status who is a member in good standing of and accountable to a legally recognized denomination or legally recognizable religious denomination or legally recognizable religious organization and other individuals participating with them in pastoral counseling if:

(A) the therapy activities are within the scope of the performance of regular or specialized ministerial duties and are performed under the auspices of sponsorship of an established and legally recognized church, denomination or sect, or an integrated auxiliary of a church as defined in 26 CFR §1.6033-2(h) (relating to Returns by exempt organizations (taxable years beginning after December 31, 1969) and returns by certain nonexempt organizations (taxable years beginning after December 31, 1980));

(B) the individual providing the service remains accountable to the established authority of that church, denomination, sect, or integrated auxiliary; and

(C) the person does not use the title of or hold himself or herself out as a licensed marriage and family therapist.

¹ The Licensing Committee was reorganized as the Workforce Development Committee in 2024.

² [Texas Administrative Code §801.2](#) providing the definition of a recognized religious practitioner.

- Florida Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling³

No provision of this chapter shall be construed to limit the performance of activities of a rabbi, priest, minister, or member of the clergy of any religious denomination or sect, or use of the terms "Christian counselor" or "Christian clinical counselor" when the activities are within the scope of the performance of his or her regular or specialized ministerial duties and no compensation is received by him or her, or when such activities are performed, with or without compensation, by a person for or under the auspices or sponsorship, individually or in conjunction with others, of an established and legally cognizable church, denomination, or sect, and when the person rendering service remains accountable to the established authority thereof.

- Arizona Board of Behavioral Health Examiners⁴

A. *This chapter does not apply to:*

3. A rabbi, priest, minister or member of the clergy of any religious denomination or sect if the activities and services that person performs are within the scope of the performance of the regular or specialized ministerial duties of an established and legally recognizable church, denomination or sect and the person performing the services remains accountable to the established authority of the church, denomination or sect.

With the collaboration of Subject Matter Experts (SMEs), staff conducted further research on the topic of pastoral counseling, in addition to clarifying the differences in practice methods used in pastoral counseling and mental health professions.

Staff and SMEs found the following material on the topic of pastoral counseling:

- Landis-Taylor, Nancy. *The Content, Nature, and Ethics of Pastoral Counseling by West Virginia Baptist Ministers*. 2009. West Virginia University, PhD dissertation.
- Blain, T. (2024). What Is Christian Counseling?. *Verywell Mind*. Retrieved from <https://www.verywellmind.com/what-is-christian-counseling-5211900>
- Vargas, B.E. (2024). The Best Online Christian Counseling Services of 2024, Tried and Tested. *Verywell Mind*. Retrieved from <https://www.verywellmind.com/best-online-christian-counseling-services-4692788>
- Mireles, N. (2024). What Are the Job Requirements for Pastoral Counseling?. *Forbes*. Retrieved from <https://www.forbes.com/advisor/education/psychology-and-counseling/become-a-pastoral-counselor/>

³ [Title 32, Chapter 491, §491.014\(3\)](#) of the Florida Statutes pertaining to clinical, counseling and psychotherapy services.

⁴ Exceptions to licensure statute, per [Arizona Revised Statutes, Title 32, Chapter 33 § 32-3271](#)

Notable information discovered on review of the above material reveal a pastoral counselor, as defined by the American Association of Pastoral Counselors (2005)⁵, is “a clergy member who has received graduate training in both religion and behavioral science for a clinical practice that integrates psychological and theological disciplines to increase meaning and well-being” (Landis-Taylor, 2009). To practice independently or in a clinical setting, pastoral counselors must attain the same state licensure as secular counselors (Mireles 2024). Counselors in the field of pastoral counseling do not need to hold licensure “if they are providing faith-based counseling”. While there are benefits to therapy and pastoral counseling, “only therapy is designed to treat mental health conditions with evidence-based approaches” (Vargas, 2024).

Considering the diverse religious and cultural influences in regions and territories throughout the United States, additional exemption laws in the following states were retrieved:

- Georgia – Board of Professional Counselors, Social Workers, and Marriage and Family Therapists⁶

(b) The prohibition of subsection (a) of this Code section shall not apply to the following persons; provided, however, that no such person shall hold themselves out as being licensed to practice professional counseling, social work, or marriage and family therapy or any combination thereof or use the words "licensed" or "licensure" or any other words, letters, titles, images, or figures stating or implying that they are licensed to practice any such specialty, and no organization shall present itself as authorized to license individuals to practice any such specialty:

(10) Active members of the clergy but only when the practice of their specialty is in the course of their service as clergy;

(11) Members of religious ministries responsible to their established ecclesiastical authority who possess a master's degree or its equivalent in theological studies;

(12) Persons engaged in the practice of a specialty in accordance with Biblical doctrine in public or nonprofit agencies or entities or in private practice;

- North Carolina Board of Licensed Clinical Mental Health Counselors⁷

(a) It is not the intent of this Article to regulate members of other regulated professions who do counseling in the normal course of the practice of their profession. Accordingly, this Article does not apply to:

(5) Any ordained minister or other member of the clergy while acting in a ministerial capacity who does not charge a fee for the service, or any person invited by a religious organization to conduct, lead, or provide counseling to its members when the service is not performed for more than 30 days a year.

⁵ In 2019, the American Association of Pastoral Counselors merged with the Association for Clinical Pastoral Education (ACPE) and now operate under the ACPE name.

⁶ Licensing exceptions per Title 43, Chapter 10A of the Georgia Code, [O.C.G.A. § 43-10A-7](#)

⁷ Exemption statute stated in North Carolina's Licensed Clinical Mental Health Counselors Act, NC General Statute [Article 24 § 90-332.1 \(G.S. 90-332.1\)](#)

- Louisiana State Board of Licensed Professional Counselors⁸

The following persons and their activities are exempted from the licensing requirements of this Chapter:

(5) Any priest, rabbi, Christian Science practitioner, or minister of the gospel of any religious denomination, provided they are practicing within the employment of their church or religious affiliated institution and they do not represent themselves as licensed professional counselors or mental health counselors unless they have also been licensed under the provisions of R.S. 37:1107.

- New Mexico Counseling and Therapy Practice Board⁹

B. Specifically exempted from the Counseling and Therapy Practice Act are:

(3) duly ordained, commissioned or licensed ministers of a church providing pastoral services on behalf of a church;

(5) practitioners of Native American healing arts;

- Virginia Board of Counseling¹⁰

The requirements for licensure in this chapter shall not be applicable to:

3. The activities, including marriage and family therapy, counseling, or substance abuse treatment, of rabbis, priests, ministers or clergymen of any religious denomination or sect when such activities are within the scope of the performance of their regular or specialized ministerial duties, and no separate charge is made or when such activities are performed, whether with or without charge, for or under auspices or sponsorship, individually or in conjunction with others, of an established and legally cognizable church, denomination or sect, and the person rendering service remains accountable to its established authority.

- Vermont Board of Allied Mental Health¹¹

(b) The provisions of this chapter shall not apply to persons while engaged in the course of their customary duties:

(1) in the activities and services of the clergy or leader of any religious denomination, or sect or a Christian Science practitioner when engaging in activities that are within the scope of the performance of the person's regular or specialized ministerial duties and for which no separate charge is made, or

⁸ Exclusions statute stated in Louisiana's Practice Acts, [§1113](#).

⁹ Exemption law as stated in the Counseling and Therapy Practice Act, Chapter 61: Article 9A Counseling and Therapy - [61-9A-6. Exemptions](#)

¹⁰ Exemption from requirements of licensure for Professional Counseling, per Chapter 35 of Title 54.1 of the Code of Virginia [§ 54.1-3501](#)

¹¹ Exemption statute for Clinical Mental Health Counselors § 3273, [26 V.S.A. section 3273](#)

when these activities are performed, with or without charge, for or under the auspices of sponsorship, individually or in conjunction with others, of an established and legally recognizable church, denomination, or sect, and when the person rendering services remains accountable to the established authority of that church, denomination, or sect;

Recommendation

Conduct an open discussion regarding the practice of pastoral counseling and whether amendments should be made to the Board's statutes.